

SECOND REGULAR SESSION

SENATE BILL NO. 851

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3374S.02I

AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to possession of a concealable firearm by certain felons, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows:

571.070. 1. A person commits the crime of unlawful possession of a concealable firearm if [he] **such person** has any concealable firearm in his **or her** possession and:

(1) He **or she** has pled guilty to or has been convicted of a dangerous felony **under the laws of this state**, [as defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony,] or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony[, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession]; or

(2) He **or she** is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.

2. Unlawful possession of a concealable firearm is a class C felony.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.